

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: Swackhammer v. Brooks, : CIVIL NO. 1:CV-07-2030
et al. :
:
Inmate: Frederick J. Swackhammer : (Judge Conner)
:
ID Number: EU-4899 :

ORDER

On November 2, 2007, the above petition for writ of habeas corpus was transferred to this court from the United States District Court for the Western District of Pennsylvania. By Order dated November 14, 2007, the Petitioner was informed that upon consideration of the Order issued by the Western District of Pennsylvania prior to the transfer of his case, requiring him to either pay the \$5.00 filing fee or file a motion to proceed in forma pauperis, this case would be dismissed without prejudice unless the Petitioner either paid the \$5.00 filing fee or filed a motion to proceed in forma pauperis on or before November 28, 2007.

On November 29, 2007, Swackhammer submitted a letter requesting additional time in which to either pay the \$5.00 filing fee or file a motion to proceed in forma pauperis. On that same date, the court granted his request and directed him to pay the filing fee or file an application to proceed in forma pauperis on or before December 12, 2007 or his case would be dismissed without prejudice. He was also informed that no further extensions of time would be granted. Notwithstanding the court's Order, the Petitioner has neither paid the \$5.00 filing fee nor submitted an application to proceed in forma pauperis.

THEREFORE, IT IS ORDERED THAT this action is dismissed without prejudice,
and the Clerk of Court shall close this file.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge

DATE: December 19, 2007